

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE ENROLLED ACT No. 1378

AN ACT concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 36-8-16-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 14. The emergency telephone system fees shall be used only to pay for:

- (1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;
- (2) the rates associated with the service suppliers' enhanced emergency telephone system network services; ~~and~~
- (3) the personnel expenses of the emergency telephone system; **and**
- (4) **the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure, or other information technology necessary to provide emergency response services under authority of the unit imposing the fee.**

The legislative body of the unit may appropriate money in the fund only for such an expenditure.

SECTION 2. IC 36-8-16.5-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 30. Except as provided in section 34 of this chapter, each CMRS provider ~~as part of its monthly billing process, shall bill each CMRS mobile telephone number for collect the emergency wireless emergency enhanced 911~~



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fee ~~The~~ as follows:

(1) A CMRS provider **shall collect the fee from each standard subscriber as part of its normal monthly billing process and** may list the fee as a separate line item on each bill. If a CMRS provider receives a partial payment for a monthly bill from a CMRS **standard** subscriber, the CMRS provider shall apply the payment against the amount the CMRS **standard** subscriber owes to the CMRS provider before applying the payment against the fee.

(2) A CMRS provider shall collect and remit to the board under section 36 of this chapter fees from its prepaid subscribers in an amount equal to the fee amount multiplied by the number of active prepaid subscriber accounts on the last day of each calendar month.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" refers to the Indiana department of transportation.

(b) Not later than July 1, 2002, the department shall form a task force to identify barriers to enabling interested parties to develop a multitenant conduit system for fiber optic communications to be located in the highway rights-of-way maintained and owned by the department. The goal of the task force formed under this subsection shall be to identify barriers that inhibit private industry from funding and developing a multitenant conduit system.

(c) The task force formed under subsection (b) shall submit its findings to the executive director of the legislative services agency not later than November 1, 2002.

(d) This SECTION expires December 31, 2003.

SECTION 4. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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